

**Minutes of the Waukesha County Criminal Justice Collaborating Council**  
**Wednesday, March 25, 2009**

The meeting was called to order at 8:34 a.m.

**Present:** Judge Mac Davis (Chair), Peter Schuler, Sam Benedict, Larry Nelson, Susan Dreyfus, Jim Dwyer, Brad Schimel, Kathy Madden and Karl Held. **Absent:** Dan Trawicki, Paul Geiszler, Marcia Jante and Dan Vrakas.

**Also Present:** Mike Giese, Lyndsay Johnson, Rebecca Luczaj, Ryan Jurgens, Bonnie Morris, Tiana Glenna, JoAnn Eiring, Sara Carpenter and Dick Manke.

**Approve Minutes of January 28, 2009 Meeting**

MOTION: Dwyer moved, Nelson second, to approve the minutes of January, 28, 2009. Motion carried unanimously.

Judge Davis introduced Tiana Glenna, CJCC Coordinator of Eau Claire County, who was visiting Waukesha County to meet with Luczaj and learn about Waukesha County's CJCC.

**CJCC Program Updates**

Day Report Center

Carpenter read a letter of gratitude and support written by a participant of the Day Report Center Program, which outlined her experiences before, during and after participating in the program.

Carpenter distributed a handout of the WCS- Day Report Center Program statistics for 2008. She reviewed the statistics as outlined, including assessment number details, demographics and program completion statistics. Notable was that 90% (124) of participants successfully completed their period of supervision at the Day Report Center; the other 10% (14) were discharged for various reasons, as outlined.

Carpenter continued with a review of the Day Report Center Program components, providing further explanation of the how the jail days saved number was determined based on the number of days the participants are released from the Huber facility versus serving the remainder of their sentence there. The Day Report Center provides support to participants by through community resource referrals and direct assistance as listed, based on risk and need. Donations have helped to purchase incentives and bus passes for the participants. Davis asked Carpenter to provide some examples of community resource referrals. Carpenter stated that they use other WCS programs, such as the OAR Program and the Community Service Options Program, as well as agencies such as the Workforce Development Center, the Hebron House, and Waukesha County Public Health.

Carpenter continued with a review of the types of sanctions implemented. She stated that the number one sanction used is community service. She explained the increasing use of SCRAM (Secure Continuous Remote Alcohol Monitoring) and provided an explanation of its operational and procedural usage. Carpenter explained that SCRAM is a very effective tool used in the Alcohol Treatment Court Program. They are looking at extending the length of time used from 15 days to 30 - 45 days. It is also used in the Pretrial Program on a voluntary basis.

Dreyfus asked what percentage of participants in the Day Report Program is unemployed. Carpenter said that she does not have that information with her today; however, she would be able to provide that information at a future time.

Alcohol Treatment Court:

Carpenter read a letter of gratitude and support written by a male participant of the Alcohol Treatment Court (ATC) Program, which outlined his experiences before, during and after participating in the program.

Carpenter provided an update on the recent State Conference. Since then they have received many calls inquiring about WCS programs.

Carpenter distributed a handout of the WCS- Alcohol Treatment Court Program statistics for 2008. She reviewed the information as outlined, including statistics on active participants, demographics, ATC program components, ATC graduations, and graduate and discharge demographics. In closing, she stated that currently, the ATC program has 56 participants. At the end of December 2008 there were 14 participants in phase 4 of the program, approaching graduation. There are currently 11 applicants waiting to get into the program.

Benedict added that of the over 50 graduates of the ATC Program thus far, there have been no re-offenders to date. Carpenter stated that even so, has not there has not been much participation in the post-grad alumni program. Perhaps attending the alumni group before graduation would be beneficial, and perhaps this is something that the ATC Committee could look at further.

Carpenter distributed a handout outlining the WCS-SCRAM Program and operational costs. She reviewed the expenses involved in running the program that result in the current daily rate for SCRAM. Carpenter especially noted the recently reduced daily rate for indigent clients (from \$8.00 to \$6.00 per day).

Nelson commented on the great the success of the programs which have been implemented. Are there plans to release this information to the media, and is the County Board going to receive this information? Perhaps this group should be advocating with legislators for state and federal funding for these programs. Nelson asked about the cost savings for every jail day saved. Carpenter said sh does not talk about jail days cost savings because there are different ways of determining that. It is better left to t he Sheriff's Department to make that determination. Carpenter stated that several clients have expressed an interest in speaking to legislators and come to upcoming public hearings to talk about the programs and the positive impacts on their lives. Carpenter stated she is always willing to talk to the media when they call. Nelson stated perhaps there could be a press release of these statistics. Schuler stated he could talk to the County Executive about it, adding that originally this was to be a vision for the Public Relations and Education Committee. Davis suggested that perhaps an event could be held at the Day Report Center to commemorate its upcoming two year anniversary. It would present an opportunity to share the success of the Day Report Program with judges, clients, members of County government, legislators and the media. Dreyfus added that it could also raise awareness in the community about the functions of the CJCC.

Dwyer, while agreeing with Nelson, cautioned that the state budget is the worst ever for Counties. He stated that with the budget shortfalls and cuts, Counties are being forced to look at cutting programs. He was not optimistic about the possibility of any new funding given the current state of the economy. He stated we must strive to work with the tools already in place to achieve the continuing success of the WCS programs.

Madden left at 9:32 a.m.

Luczaj informed the Committee about funding opportunities under the Recovery Act, including grants to expand the capacity of ATC. These two grants are coming due in April and in May. Nelson offered to write letters of support if needed.

### **Status of Spillman Statute Classification Project**

Jurgens explained he is working on assigning the appropriate state and municipal statutes to criminal offenses listed as non-classified within the Spillman System. He distributed a handout listing the top 15 charges for inmates in 2008. He stated that efforts thus far have resulted in a shift in the ranking of offense categories, as outlined in the handout.

Jurgens further explained how the statutes were identified in the system and the problems encountered with the non-classified statutes. With the help of the Clerk of Courts and Diane Kelsner, decisions were made as to where a particular statute would be classified, and this information was then applied to the Spillman law table. Jurgens stated they are now going through a tweaking process to fill in the blanks. The majority of municipal statutes remain unclassified. He explained that IT needs input as to how to proceed to continue to make the information more useful to the users.

Jurgens continued to explain that the Spillman system is going to be upgraded to a Sentryx system, and it will be much more powerful than it is now. It will allow redefinition of the predetermined code tables. IT will need guidance from the users as to how to define and refine the Spillman system, which then maps over to the Data Warehouse. The data must be entered correctly in order to provide accurate numbers and information to the user. Jurgens again emphasized that IT is looking for guidance to get this project more finely tuned.

Luczaj stated the Data Warehouse Workgroup recently reconvened in the last several months to work on this project.

### **Informational Update - Technical Assistance Grant Application**

Davis gave an overview of the Technical Assistance Grant opportunity. Luczaj distributed a handout outlining the details of the grant proposal. She explained that the CJCC would contract with the Public Policy Forum (PPF) for ongoing technical assistance. The PPF currently researches evidence-based best practices, analyzes current processes to examine efficiencies and evaluates programs for effectiveness for the CJCC of Milwaukee. The support would create a mechanism to share information on effective criminal justice strategies and strengthen the work of both CJCCs.

The funding opportunity is made available through the Byrne Grant, and will be a collaborative application with the cities of Waukesha, Brookfield and New Berlin, and the Village of Menomonee Falls. The grant, in the amount of \$18,619, could be used over a time period of one to four years to fund PPF services. The grant submission deadline is May 18, 2009. The PPF has agreed to seek matching funds with an estimated dollar-for-dollar match over a two to three-year period. The PPF research analyst would take direction from the CJCC Executive Committee and help with grant writing. The handout lists examples of specific projects that could be assigned to the PPF.

### **CJCC Committee Reports**

Pre-Trial Subcommittee Update - Eiring explained that over the past year they have been working on a new OAR policy in cooperation with the District Attorney. As a result, non-aggravated cases are now able to be amended to civil forfeitures and resolved by the court commissioners. The offenders are referred to WCS in order to obtain a license, and WCS reports back to the court about whether that is feasible. The DA's are also making recommendations based on past records. Eiring distributed a copy of the DA's OAR policy.

Eiring stated the Subcommittee recently discussed providing a transport service to bring defendants to and from court from Milwaukee in an effort to reduce the failure-to-appear rate. Dwyer suggested that possibly volunteers could assist in this endeavor.

Juvenile Justice Committee - Benedict gave an overview of issues discussed at the last meeting. The Committee will continue to monitor the impact of the loss of Waukesha County services in the juvenile justice area, such as the Juvenile Community Service Program and the Juvenile Restitution Coordinator. Judge Haughney indicated to the Committee that another area of concern to him is the difficulty of servicing the 16 and 17 year old court participants in terms of finding foster care or alternate care placements. Other items discussed were the Youth Accountability Block Grant Program and the Youth Gang Prevention Assistance Grant. Benedict stated that an overview of the UW-Extension's Juvenile Diversion Program will be presented at a future Juvenile Justice Committee meeting.

### **Alcohol Treatment Court Participation Fee Model**

Davis stated that since the federal grant funding for the ATC Program will be ending, the issue of implementing a program participation fee has been discussed in order to sustain the program. Schuler reported on the activities of the Alcohol Treatment Court Fee Workgroup that resulted in the formation of a tiered fee system. Luczaj distributed and reviewed a handout titled *Alcohol Treatment Court Fee Workgroup*. Schuler reviewed the handout as outlined. He stated that after much study, the group determined the five-tier income-based fee model to be the best option. During the initial interview, HHS staff will determine participant's monthly fees owed based on the most recent income taxes and/or current pay stubs. Fees can be reassessed at any time if income changes. Clients who refuse to pay or fail to provide full proof of income will be billed at the maximum monthly fee of \$200 until the required documentation is provided. The group hopes the plan will be implemented in June 2009. The 2010 projected revenue for this model is \$50,400.

Dreyfus brought up the possibility of a charging more than \$200 for a higher income level. Schuler stated that considering the other significant expenses incurred by the participants (attorney fees, court costs, fines, etc.), this amount was determined to be a sustainable amount. Luczaj added that the \$200 amount is the approximate true cost of the program (about \$188 rounded up). It does not take into consideration all of the in-kind costs, such as the judges', clerks' and bailiffs' time. Dwyer suggested monitoring the records of the fees generated and then reevaluate the fee schedule after a period of time.

### **Update on Upcoming Strategic Planning Session – Judge Davis**

Davis stated there was not a strategic planning session held in 2008. He emphasized that it is very important that all CJCC members attend this year's session. It will be held on May 18, 2009, from 9 a.m. to 3 p.m. Jan Wilberg will return as the facilitator. Luczaj distributed a copy of Wilberg's credentials and experience.

Davis stated that he, Luczaj, the Executive Committee and others have been working on compiling a list of possible participants representing a cross-section of professional and geographical areas. Forty-nine people have been invited to date; forty have confirmed attendance so far. Davis encouraged everyone to come prepared in order to have a productive meeting. Any suggestions or ideas can be directed to Davis, Luczaj or any member of the Executive Committee for discussion.

### **Next CJCC Meeting**

- May 27, 2009, at 8:30 am, Room C179

The meeting adjourned at 10:34 a.m.